

PFE ORIGINAL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION III
 1650 Arch Street
 Philadelphia, Pennsylvania 19103-2029



SDMS DocID

2225325

SUBJECT: Malvern TCE Site - Explanation of Proposed *De Minimis* Settlement

FROM: William C. Early (3RC00)
 Regional Counsel

Abraham Ferdas (3HS00)
 Director, Hazardous Site Cleanup Division

TO: Donald S. Welsh (3RA00)
 Regional Administrator

We recommend that you sign the attached the enclosed Administrative Order on Consent for *De Minimis* Settlement, Docket No. CERC-03-2004-0085DC ("Technitrol AOC"), between the United States Environmental Protection Agency ("EPA") and Technitrol, Inc. ("Respondent") in connection with the Malvern TCE Superfund Site located in Chester County, Pennsylvania ("Site"). The Proposed AOC memorializes a settlement of potential claims of the United States against Respondent, pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, ("CERCLA"), 42 U.S.C. § 9607(a).

A letter to Thomas L. Sansonetti, Assistant Attorney General, United States Department of Justice ("DOJ"), forwarding the Technitrol AOC for additional signatures and processing, also is attached for your review and signature.

Pursuant to the Technitrol AOC, EPA and Respondent, a *de minimis* potentially responsible party ("PRP") for the Site, would settle potential claims of the United States against Respondent in connection with the Site in exchange for a payment by Respondent in the amount of \$38,854.00.

Respondent's status as a *de minimis* PRP was determined by EPA pursuant to a volumetric ranking summary prepared by EPA for the Site. EPA attributed 10 drums of hazardous substances disposed of at the Site to Respondent. Site documentation indicates that Respondent's 10 drums (hereinafter "Common Drums") were hauled to the Site by Phillips & Jacobs ("P&J"), a *de minimis* PRP that settled its alleged liability at the Site pursuant to

CONCURRENCES									
SYMBOL	3HS11	3RC41	3HS12	3HS11	3RC00	3HS10	3RC00	3HS00	3RA00
SURNAME	EGAN	JOHNSON	MILLER	ARMSTRONG	TORRES	SOKOLOWSKI	EARLY	FERDAS	WELSH
DATE	9/22	4/22/04	5/3/04	5/14/04			5/17	5/17/04	